



Department of Planning & Zoning Staff Report – Map Amendment Case No. 2024-14-R

APPLICATION INFORMATION

- **Submittal Date:** 7/2/2024
- **Applicant / Property Owner**
Marvin & Enica Singleton
440 Courthouse Lane
Hahnville, LA 70057
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- **Request**
Change of zoning:
 - Current – R-1A, Single Family Residential Detached Conventional Homes - Medium density; R-1M, Manufactured home/recreational vehicle (RV) park
 - Proposed – R-1A(M), Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes—Medium density

SITE INFORMATION

- **Location**
Lot 2C, Block 5, Hahnville Subdivision; between 163 and 147 Hahn Street, Hahnville
- **Size:** 13,180.5 sq. ft. (0.302 acres)
- **Current Use:** cleared and vacant
- **Surrounding Zoning**
R-1A zoning is adjacent to the front, rear, and Durr Street side; R-1M zoning is adjacent to the River Road side. An R-1A(M) spot zone is catty-cornered at the Hahn and Pine Street intersection.
- **Surrounding Uses**
The site is located in a developed residential neighborhood characterized by a mix of site-built and manufactured homes.
- **Zoning History**
The subject site was originally zoned R-1A but a portion was changed to R-1M as part of Ordinance No. 82-12-4 (PZR-82-17A). The parallelogram shape of the district resulted in the R-1A/R-1M split zone across what is now Lot C.
- **Future Land Use Recommendation**
Low-to-Moderate Residential – Single-family detached dwellings; attached dwellings such as duplexes, patio/zero-lot line homes and townhomes; and accessory units. Neighborhood retail, services, offices and institutions are also permitted in appropriate locations such as along transportation corridors or at intersections. (over six dwellings per acre)

Recommended Zoning Districts: R-1A (6,000 sf. min. lot size), R-1B (10,000 sf. min. lot size), R-1AM (accessory units and individual mobile homes)
- **Flood Zone & Minimum Building Elevation**
1992 Flood Insurance Rate Map: X
2013 Digital Flood Insurance Rate Map: X

▪ **Traffic Access**

Lot C is accessed through its 54 ft. of frontage on Hahn Street.

▪ **Utilities**

The Parish GIS shows water, sewer, and drainage facilities along Hahn Street.

Representatives from the Departments of Public Works, Wastewater, and Waterworks have no objections to the rezoning.

APPLICABLE REGULATIONS

Appendix A. Section VI. – Zoning District Criteria and Regulations

[II.] *R-1A(M). Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes—Medium density.*

Policy statement: This district is composed of areas containing one-family dwellings constructed on a permanent foundation, connected to public utilities, and which meet the architectural and aesthetic standards of a permanent residence. Additionally, mobile homes which meet the special provisions below are allowed.

1. Use Regulations:
 - a. A building or land shall be used only for the following purposes:
 - (1) Site-built, single-family detached dwellings.
 - (2) Manufactured homes.
 - (3) Mobile homes.
 - (4) Accessory uses.
 - (5) Private recreational uses.
 - (6) Farming on lots of three (3) acres or more and at least one hundred fifty (150) feet frontage.
 - b. Special exception uses and structures include the following:
 - (1) Additional residences for family and relatives on unsubdivided property on a non-rental basis, and which meet the criteria outlined in Special Provisions [subsection 3].
 - (2) Parks, public libraries, fire stations, police or sheriff's stations or substations, and sewer pumping stations.
 - (3) Showing and operation of historic buildings and/or sites and their related activities, provided a certificate from the United States Department of Interior is furnished by the owner verifying that the building and/or site is on the National Register of Historic Places.
 - (4) Accessory uses to golf courses and country clubs limited to the following:
 - Art studios
 - Churches and Religious Institutions
 - Commercial recreation facilities
 - Commercial schools
 - Personal service businesses, examples include but are not limited to beauty shops and barber shops, acupuncture, and massage services
 - Professional offices, examples include but are not limited to doctors, dentists, engineers, architects, landscape architects, plan services, realtors, insurance
 - Restaurants and cafeterias
 - c. Special permit uses and structures include the following:
 - (1) Child care centers.
 - (2) Public and private schools (except trade, business and industrial).
 - (3) Golf courses (but not miniature courses or driving ranges), country clubs, and accessory commercial uses on such properties.
 - (4) Educational, religious and philanthropic institutions. These buildings must be set back from all property lines a distance of at least one (1) foot for each foot of building height.
 - (5) Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council.
 - (6) Accessory dwelling units upon approval by the Planning Commission and supporting resolution of the Council.
 - (7) Garden Home Developments in accordance with Section VII Supplemental Regulations upon review and recommendation of the Planning Commission and supporting resolution of the St. Charles Parish Council.
2. Spatial Requirements.
 - a. Minimum lot size: Five thousand (5,000) square feet per family; minimum width-fifty (50) feet.
 - b. Minimum yard sizes:
 - (1) Front—Fifteen (15) feet.
 - (2) Side—Five (5) feet.
 - (3) Rear—Five (5) feet.
 - (4) For lots with less than one hundred (100) feet depth, front setback shall be fifteen (15) percent of lot depth with a minimum of ten (10) feet to the front lot line and five (5) feet to the rear lot line.
 - (5) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999.
 - c. Accessory buildings:
 - (1) The accessory building shall not exceed two-story construction.
 - (2) Minimum setback of accessory buildings shall be three (3) feet.
 - (3) Nonresidential accessory buildings shall not be permitted.
 - d. Permitted encroachments:
 - (1) Overhangs projecting not more than twenty-four (24) inches, excluding gutter.
 - (2) Stairs and landings not more than three (3) feet in height, projecting no more than four (4) feet into required front yard.
3. Special Provisions:
 - a. Additional dwellings on unsubdivided property:
 - (1) Additional dwellings on unsubdivided property referred to in 1.b(1) above will be permitted at the rate of one (1) dwelling unit for each seven thousand (7,000) square feet of lot area.

- (2) The applicant for any additional dwellings on unsubdivided property shall submit a copy of all subdivision restrictions (covenants) which govern the property in order to protect the integrity of the neighborhood.
 - (3) Under no circumstances will the total number of dwellings per unsubdivided lot permitted under these provisions exceed four (4).
 - (4) Permits issued under this provision will be issued for a two-year period. At the expiration of this time, an investigation will be conducted by the Planning and Zoning Department to determine if this Code is complied with. Non-compliance will result in the revocation of the permit.
- b. All manufactured housing and mobile homes shall be secured according to the Federal Emergency Management Agency's Sept. 1985 publication *Manufactured Home Installation in Flood Hazard Areas*.
 - c. *Reserved*.
 - d. All dwelling units shall be connected to utility systems which provide for health and safety under all conditions of normal use. Home utility services shall only be connected to the supply source by means of approved materials, and shall be inspected by the appropriate agency.

Appendix A. Section XV. - Amendment procedure

- D. Rezoning guidelines and criteria: The proponent for a change should present reasonable factual proof that two or more of the following criteria are met:
1. The proposed rezoning conforms to land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zone that is incompatible with the surrounding neighborhood.
 2. The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property, and that the proposed zoning does. In order to determine what is reasonable use of the property, the proponent for the zoning change should consider one or more of the following:
 - a. Consideration of uses on adjacent properties that would limit the use of the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects which can be shown to limit the usefulness of vacant land or buildings.
 3. Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.
- The Planning Staff shall base rezoning analyses on these criteria but shall not be prohibited from factoring unique circumstances of the application into the analysis. The Planning and Zoning Commission may state in its recommendations to the Council: its concurrence with, or rejection of, any or all of the proponents' case for the suggested amendment, and/or its position relative to proponents' statements on the case. Planning Staff analyses and recommendations shall be forwarded to the Council along with the Commission's recommendations.
- E. Rezoning approval criteria: Before the Council votes to approve a rezoning, there should be reasonable factual proof by the applicant that:
1. The proposed map amendment is in compliance, or is not in conflict, with the goals and recommendations of the St. Charles Parish Comprehensive Plan and Future Land Use Map, also
 2. The proposed map amendment does not negatively impact the health, safety, and welfare of the community.

REZONING GUIDELINE & CRITERIA EVALUATION

1. *The proposed rezoning conforms to the land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zoning that is incompatible with the surrounding neighborhood.*

The subject site is designated *Low-to-Moderate Residential*, which primarily allows a residential land development pattern consistent with the R-1A, R-1B, and R-1A(M) zoning districts. Although the manufactured homes permitted under the proposed R-1A(M) district conform to the *Low-to-Moderate Residential* designation, this must be considered a spot zone due to being applied to a single small site within a larger established R-1A district. While R-1A(M) zoning is located nearby at the corner of Pine and Hahn Street, and the site is adjacent to a manufactured home park, these are exceptions to the zoning pattern and should not be used to justify another spot zone. **The request does not meet the first guideline.**

2. *The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property and the proposed zoning does.*

The existing zoning does not allow reasonable use of the applicant's property. R-1M is use specific, allowing only for manufactured homes and RVs within larger park developments. It is not intended for the permitting of single homes on single lots like the R-1A and R-1A(M) districts. Unless Lot C is made part of the adjacent manufactured home park its R-1M zoning makes it undevelopable.

That being said, a request to bring the lot under a uniform R-1A zoning instead of a full change to R-1A(M) would be more reasonable. The historical land-use pattern and character of the surrounding area consists primarily of site-built homes. This is reinforced with the construction of new homes at a rate of two to five each year prior to Hurricane Ida (alongside renovations of existing properties). The zoning in the area has also remained stable, with the most recent change from R-1A to R-1A(M) approved in 2007 at 230 Hahn Street (Ord. No. 07-12-4; PZR-2007-20). More recent requests to change R-1A to R-1A(M), three of which on Hahn Street, have been unsuccessful (PZR-2014-07, 2022-6-R, 2022-7-R, 2022-17-R).

While the lot would be non-conforming under R-1A zoning, impact on how it may be developed is negligible between the two districts. Each have the same side yard requirements and the 244 ft. lot depth allows for accommodation of the larger front and rear yards required under R-1A without greatly impacting buildable area. **The request does not meet the second guideline.**

- 3. Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure.*

The manufactured home that could be permitted under the proposed zoning is not incompatible with the character found within the immediate vicinity, specifically the two manufactured homes on the lot catty-corner at the intersection of Pine and Hahn Street and the adjacent manufactured home park. This would also not have any more of an impact on utilities compared to the existing R-1A/R-1M zoning. **The request meets the third guideline.**

DEPARTMENT RECOMMENDATION

Denial, due to only meeting the third rezoning criteria.

This request will be forwarded with the Planning Commission's recommendation to the Parish Council for a second public hearing and final determination.